

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

ALONZO AUSTIN, Executor  
Plaintiff,

## SUMMONS IN A CIVIL ACTION

MODERN WOODMEN OF AMERICA  
ET. AL,

CASE NUMBER:

3:07cv138-MHT

Defendants,

RETURNED AND FILED

TO: (Name and address of Defendant)

MACON COUNTY Sheriff Department,  
246 County Road 10  
Tuskegee, AL 36083

MAR - 2 2007

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ALONZO AUSTIN, Prose  
1321 River-Carlis Rd,  
Tuskegee, AL 36083

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Debra P. Hackett

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>2/27/07</b>	RECEIVED
NAME OF SERVER (PRINT) <b>Tommy Miller</b>	TITLE <b>Deputy Sheriff</b>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <b>Gertrude Benjamin</b> <b>Macon County Commission office</b>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <b>\$0.00</b>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.